

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 28, 1999

The House of Representatives convened at 2:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

The Star Spangled Banner was performed by Kathrin Banta, vocalist from Apple Valley, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dorn	Howes	Mahoney	Pawlenty	Sykora
Abrams	Entenza	Huntley	Mares	Paymar	Tingelstad
Anderson, B.	Erhardt	Jaros	Mariani	Pelowski	Tomassoni
Anderson, I.	Erickson	Jennings	Marko	Peterson	Trimble
Bakk	Finseth	Johnson	McCollum	Pugh	Tuma
Biernat	Folliard	Juhnke	McElroy	Rest	Tunheim
Bishop	Fuller	Kahn	McGuire	Reuter	Van Dellen
Boudreau	Gerlach	Kalis	Milbert	Rhodes	Vandever
Bradley	Gleason	Kelliher	Molnau	Rifenberg	Wagenius
Broecker	Goodno	Kielkucki	Mulder	Rostberg	Wejzman
Buesgens	Gray	Knobloch	Mullery	Rukavina	Wenzel
Carlson	Greenfield	Koskinen	Munger	Schumacher	Westerberg
Carruthers	Greiling	Krinkie	Murphy	Seagren	Westfall
Cassell	Gunther	Kubly	Ness	Seifert, J.	Westrom
Chaudhary	Haake	Kuisle	Nornes	Seifert, M.	Wilkin
Clark, J.	Haas	Larsen, P.	Olson	Skoe	Winter
Clark, K.	Hackbarth	Larson, D.	Opatz	Skoglund	Wolf
Daggett	Harder	Leighton	Orfield	Smith	Workman
Davids	Hasskamp	Lenczewski	Osskopp	Solberg	Spk. Sviggum
Dawkins	Hausman	Leppik	Osthoff	Stanek	
Dehler	Hilty	Lieder	Otremba	Stang	
Dempsey	Holberg	Lindner	Ozment	Storm	
Dorman	Holsten	Luther	Paulsen	Swenson	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Abeler moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 15, A bill for an act relating to education; implementing the recommendations of the standards advisory panel; amending profile of learning requirements; eliminating state performance packages; requiring school districts to implement core learning areas; allowing districts to implement other learning areas; limiting the number of required content standards; comparing 11th grade students' educational performance with students from other states and nations; establishing an advisory group to make recommendations on students who may be unable to meet high school graduation requirements; amending Minnesota Statutes 1998, sections 120B.02; 120B.03, subdivisions 1 and 2; and 120B.30, subdivision 1.

Reported the same back with the following amendments:

Page 7, line 25, after "shall" insert "appoint and"

Page 7, line 32, after "include" insert "representation of communities of color, three parents of public high school students, three public high school students, three public high school classroom teachers, and"

Page 7, line 36, delete "communities of color;"

Page 8, line 3, after the semicolon, insert "the Minnesota association of school administrators; the Minnesota elementary school principals association; the Minnesota association of secondary school principals;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Education Policy.

The report was adopted.

Knoblach from the Committee on Capital Investment to which was referred:

H. F. No. 26, A bill for an act relating to appropriations; changing a grantee for the Mississippi education center grant; imposing a condition; amending Laws 1998, chapter 404, section 5, subdivision 9.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Workman from the Committee on Transportation Policy to which was referred:

H. F. No. 77, A bill for an act relating to motor vehicles; allowing surviving spouses to continue to purchase special license plates issued to veterans; amending Minnesota Statutes 1998, section 168.123, by adding a subdivision; and 168.124, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1998, section 168.09, subdivision 7, is amended to read:

Subd. 7. [DISPLAY OF TEMPORARY PERMIT; SPECIAL PLATES.] A vehicle that displays or applies for a special plate issued under section 168.021; 168.12, subdivision 2, 2a, 2b, 2c, ~~or 2d,~~ or 2e; 168.123; 168.1235; 168.124; 168.125; 168.126; 168.128; ~~or 168.1281~~; 168.129; 168.1291; 168.1292; or 168.1296 may display a temporary permit in conjunction with expired registration if:

(1) the current registration tax and all other fees have been paid in full; ~~and~~

(2) ~~the plate requires replacement under section 168.12, subdivision 1, paragraph (3).~~

The permit is valid for a period of 60 days. The permit must be in a form prescribed by the commissioner of public safety and whenever practicable must be posted upon the driver's side of the rear window on the inside of the vehicle. The permit is valid only for the vehicle for which it was issued to allow a reasonable time for the new license plates to be manufactured and delivered to the applicant."

Page 2, line 3, delete "and 2" and insert "to 3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing for temporary registration permits;"

Page 1, line 4, delete "section" and insert "sections 168.09, subdivision 7;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 118, A bill for an act relating to state agencies; providing that agency and department heads must be confirmed by the senate within one year of appointment; amending Minnesota Statutes 1998, section 15.06, subdivisions 2 and 5.

Reported the same back with the following amendments:

Page 2, line 9, after "one" insert "consecutive"

Page 2, line 27, delete "July 1" and insert "June 30"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 26, 77 and 118 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Bradley; Goodno; Seagren; Greenfield; Pugh; McCollum; Johnson; Kubly; Clark, K.; Boudreau; Orfield; Tuma; Entenza; Koskinen; Dawkins; Leighton; Seifert, M.; Chaudhary; Mariani; Luther; Dorn; Paymar; Tomassoni; Hackbarth; Rhodes; Abeler; Howes; Otremba; Wejzman; Sykora; Erhardt; Clark, J.; Huntley; Seifert, J., and Greiling introduced:

H. F. No. 345, A bill for an act relating to human services; requiring elimination of the waiting list for home and community-based waived services for persons with mental retardation; authorizing the reallocation of unspent resources; requiring certain counties to form partnerships to deliver waiver services; requiring a federal waiver request to allow program flexibility; authorizing a reserve account of one-half percent; appropriating money; amending Minnesota Statutes 1998, section 256B.0916.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Smith; Carruthers; Seifert, J.; Broecker and Leighton introduced:

H. F. No. 346, A bill for an act relating to courts; prohibiting certain contracting arrangements for freelance court reporting services; regulating certain services; proposing coding for new law in Minnesota Statutes, chapter 486.

The bill was read for the first time and referred to the Committee on Civil Law.

Sviggum introduced:

H. F. No. 347, A bill for an act relating to education; authorizing health and safety revenue for independent school district No. 2125, Triton.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Mullery and Skoglund introduced:

H. F. No. 348, A bill for an act relating to crime; requiring the chief judge or court administrator in each judicial district to assign cases that include felony-level charges to judges within three days following the defendant's initial appearance in court upon a charge; proposing coding for new law in Minnesota Statutes, chapter 630.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Pelowski introduced:

H. F. No. 349, A bill for an act relating to education; authorizing a grant to independent school district No. 861, Winona, for a full day kindergarten program at the Jefferson elementary school; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Tuma, Munger, Hasskamp, Ozment, Osskopp, Boudreau and Dempsey introduced:

H. F. No. 350, A bill for an act relating to appropriations; providing for watershed protection in the Cannon river valley; appropriating money for a trail and joint powers planning.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Bishop, Broecker, Smith, Carruthers and Mahoney introduced:

H. F. No. 351, A bill for an act relating to courts; jurors; authorizing the court to tax parties in a civil action for hardship expenses incurred by a juror; amending Minnesota Statutes 1998, section 593.48.

The bill was read for the first time and referred to the Committee on Civil Law.

Mulder introduced:

H. F. No. 352, A bill for an act relating to health; directing the commissioner of health to exempt certain wading pools from the requirements for public swimming pools.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Mulder and Gerlach introduced:

H. F. No. 353, A bill for an act relating to taxation; individual income; creating a subtraction for military pensions; amending Minnesota Statutes 1998, section 290.01, subdivision 19B.

The bill was read for the first time and referred to the Committee on Taxes.

Solberg and Anderson, I., introduced:

H. F. No. 354, A bill for an act relating to state lands; authorizing private or public sale of tax-forfeited lands bordering public waters in Itasca county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Cassell; Rest; Daggett; Rifenberg; Stang; Storm; Buesgens; Lindner; Wilkin; Otremba; Haake; Tingelstad; Nornes; Rostberg; Kuisle; Dorman; Dehler; Hackbarth; Kielkucki; Olson; Westfall; Howes; Swenson; Gerlach; Ness; Seifert, J.; Erickson; Seifert, M.; Broecker; Holberg; Osskopp; Reuter; Gunther; Harder and Erhardt introduced:

H. F. No. 355, A bill for an act relating to taxes; eliminating June accelerated payments of sales, liquor, and cigarette and tobacco taxes; amending Minnesota Statutes 1998, sections 289A.18, subdivision 4; 289A.20, subdivision 4; and 297F.09, subdivisions 1 and 2; repealing Minnesota Statutes 1998, sections 289A.60, subdivision 15; 297F.09, subdivision 6; and 297G.09, subdivision 5.

The bill was read for the first time and referred to the Committee on Taxes.

Dempsey, Boudreau, Haas, Tingelstad and Bakk introduced:

H. F. No. 356, A bill for an act relating to human services; modifying financial eligibility criteria for the consumer support program; requiring maximum use of federal funds for the program; amending Minnesota Statutes 1998, section 256.476, subdivisions 3, 7, and 8.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Skoglund, Biernat, Stanek, Broecker and Bishop introduced:

H. F. No. 357, A bill for an act relating to crime; expanding the scope of the Camp Ripley work program law to include chemically dependent offenders and offenders convicted of domestic abuse; amending Minnesota Statutes 1998, section 609.113, subdivisions 1, 2, 3, and 6.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Wolf, Jennings, Gunther, Ozment and Davids introduced:

H. F. No. 358, A bill for an act relating to telecommunications; deregulating coin-operated or public pay telephones under state law; authorizing the public utilities commission to assess administrative penalties for anticompetitive activities by telecommunication providers; proposing coding for new law in Minnesota Statutes, chapter 237.

The bill was read for the first time and referred to the Committee on Commerce.

Wolf, Jennings, Gunther, Kahn and Davids introduced:

H. F. No. 359, A bill for an act relating to utilities; authorizing public utilities commission to establish and delegate powers to subcommittees and to designate lead commissioners; allowing petitions to be deemed approved unless set aside for affirmative action by the commission; authorizing a quorum of the commission to discuss a docket without complying with certain statutory law when acting as an administrative court; creating investigation and contingency revolving fund; appropriating money; amending Minnesota Statutes 1998, section 216A.03, subdivision 3a, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 216A.

The bill was read for the first time and referred to the Committee on Commerce.

Skoe; Anderson, I.; Solberg and Ness introduced:

H. F. No. 360, A bill for an act relating to retirement; teachers retirement association; authorizing certain retired teachers to waive their current retirement annuities, to resume active pension plan coverage, and to qualify for a recomputed future retirement annuity.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Molnau introduced:

H. F. No. 361, A bill for an act relating to human services; exempting a nursing home in Carver county from the nursing home reimbursement operating per diem limit; amending Minnesota Statutes 1998, section 256B.431, subdivision 26.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Davids introduced:

H. F. No. 362, A bill for an act relating to education; providing for an alternative facilities design grant; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Juhnke and Lieder introduced:

H. F. No. 363, A bill for an act relating to the state patrol; appropriating money for the installation, maintenance, and operation of video cameras on state patrol vehicles.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Mulder, Rhodes, Huntley, Davids and Anderson, I., introduced:

H. F. No. 364, A bill for an act relating to insurance; requiring health plans to allow their enrollees to obtain health care outside of a designated network of providers and to reimburse licensed health care providers who provide services to enrollees without regard to whether the provider belongs to a particular health plan network; amending Minnesota Statutes 1998, section 62Q.51.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Kelliher, Hilty, Hausman, Swenson, Johnson and Entenza introduced:

H. F. No. 365, A bill for an act relating to taxes; sales and use taxes; exempting books and over the counter sales of magazines and periodicals; amending Minnesota Statutes 1998, section 297A.25, subdivision 10, and by adding a subdivision; repealing Minnesota Statutes 1998, 297A.25, subdivision 21.

The bill was read for the first time and referred to the Committee on Taxes.

Kelliher introduced:

H. F. No. 366, A bill for an act relating to retirement; teachers retirement association; requiring the repayment of certain interest charges on certain member contribution shortage payments.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Reuter and Van Dellen introduced:

H. F. No. 367, A bill for an act relating to highways; changing restriction of lanes on I-35W and I-394; proposing coding for new law in Minnesota Statutes, chapter 161.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Reuter introduced:

H. F. No. 368, A bill for an act relating to state lands; authorizing certain land conveyances in connection with the transfer of state land in Steele county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Pelowski introduced:

H. F. No. 369, A bill for an act relating to real property; commissioning a Minnesota land records study; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Harder, Swenson, Davids, Winter and Peterson introduced:

H. F. No. 370, A bill for an act relating to agriculture; permitting distribution of nonregistered pesticides for certain uses outside the state; amending Minnesota Statutes 1998, section 18B.26, subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Stang introduced:

H. F. No. 371, A bill for an act relating to local government; removing the limit on the amount a local government may contribute for historical work; permitting local governments to make contributions to public or private, nonprofit senior citizen centers; amending Minnesota Statutes 1998, section 471.93; proposing coding for new law in Minnesota Statutes, chapter 471.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bakk introduced:

H. F. No. 372, A bill for an act relating to drivers' licenses; allowing parents to provide home-school instruction to children in classroom component of driver education; amending Minnesota Statutes 1998, sections 171.05, subdivision 2; 171.055, subdivision 1; and 171.39.

The bill was read for the first time and referred to the Committee on Education Policy.

Ozment introduced:

H. F. No. 373, A bill for an act relating to local government; authorizing private sales of certain county land in Goodhue county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Larson, D.; Rest; Osthoff; Gleason and Luther introduced:

H. F. No. 374, A bill for an act relating to motor vehicles; repealing the motor vehicle emissions inspection program on July 1, 2000; amending Minnesota Statutes 1998, section 116.62, subdivision 3; repealing Minnesota Statutes 1998, sections 116.60; 116.61; 116.62; 166.63; and 116.64.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Wenzel, Sviggum, Kuisle, Milbert and Daggett introduced:

H. F. No. 375, A bill for an act relating to taxation; individual income; allowing a subtraction for national guard and active duty military pay; amending Minnesota Statutes 1998, section 290.01, subdivision 19b.

The bill was read for the first time and referred to the Committee on Taxes.

Haas, Greenfield, Mulder, Carruthers and Boudreau introduced:

H. F. No. 376, A bill for an act relating to health; amending the Medical Practice Act; specifying that the administration and prescription of anesthetics is the practice of medicine; defining exemptions to the restrictions on the practice of medicine with respect to anesthesia; amending Minnesota Statutes 1998, sections 147.081, subdivision 3; and 147.09.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Goodno; Sviggum; Smith; Murphy; Seifert, J.; Pelowski; Rostberg; Stang; Gerlach; Boudreau; Wilkin; Holberg; Vandever; Hackbarth; Howes; Kielkucki; Seagren; Olson; Finseth; Knobloch; Wenzel; Bradley; Workman; Winter; Van Dellen; Fuller; Broecker; Kubly; Kalis; Ozment; Otremba; Tuma; Stanek and Mulder introduced:

H. F. No. 377, A bill for an act relating to health; requiring reporting on notification that is required before an abortion is performed on a minor or certain other women; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Daggett, Milbert, Rest, Cassell, Nornes and Haas introduced:

H. F. No. 378, A bill for an act relating to income tax; modifying the long-term care insurance credit; amending Minnesota Statutes 1998, section 290.0672, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Erhardt, Abrams, Dawkins and Rest introduced:

H. F. No. 379, A bill for an act relating to mortgage registry and deed taxes; making technical and clarifying changes; defining terms; amending Minnesota Statutes 1998, sections 270.101, subdivision 1; 287.01; 287.04; 287.05; 287.08; 287.10; 287.11; 287.12; 287.13, subdivision 1; 287.21, subdivision 1; 287.22; 287.23; 287.24; 287.241; 287.29, subdivision 1; 287.30; 287.31; and 287.33; proposing coding for new law in Minnesota Statutes, chapter 287; repealing Minnesota Statutes 1998, sections 287.06; 287.07; 287.09; 287.21, subdivisions 2 and 4; 287.34; 287.35; and 287.36.

The bill was read for the first time and referred to the Committee on Taxes.

Daggett, Abrams, Rest and Dorman introduced:

H. F. No. 380, A bill for an act relating to taxation; making technical corrections to income, property, sales, MinnesotaCare, and certain special taxes; making technical corrections to certain state tax administrative provisions; amending Minnesota Statutes 1998, sections 60A.15, by adding a subdivision; 271.01, subdivision 5; 271.21, subdivision 2; 273.111, subdivision 3; 273.124, subdivision 13; 289A.40, subdivision 1; 289A.60, subdivisions 3 and 21; 290.0671, subdivision 1; 290.0921, subdivision 5; 290.095, subdivision 3; 290.17, subdivision 4; 295.50, subdivision 9b; 295.55, subdivisions 2 and 3; 295.57, by adding a subdivision; 297A.15, subdivision 5; 297F.01, subdivision 23; 297F.17, subdivision 6; 297H.01, subdivision 12; 297H.05; and 297H.06, subdivision 2; repealing Minnesota Statutes 1998, sections 273.11, subdivision 10; 297E.12, subdivision 3; 297F.19, subdivision 4; and 297G.18, subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

Stanek, Molnau, Juhnke, Mahoney, Broecker and Pugh introduced:

H. F. No. 381, A bill for an act relating to public safety; requiring the peace officer standards and training board to adopt a new or revised model policy governing police pursuits of fleeing suspects; requiring municipal and state law enforcement agencies to adopt new or revised agency policies on police pursuits in compliance with the state model policy; requiring pre-service and in-service peace officer training in conducting police pursuits and other emergency vehicle operations; requiring the commissioner of public safety to administer a tire deflator distribution program and a driving simulator distribution program; appropriating money for police pursuit training, tire deflators, and four computer-controlled driving simulators; appropriating money; amending Minnesota Statutes 1998, sections 626.5532; and 626.845, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 626.

The bill was read for the first time and referred to the Committee on Crime Prevention.

Seifert, J.; Pugh; Smith and Carruthers introduced:

H. F. No. 382, A bill for an act relating to real property; making changes in provisions about certificates of title and the Common Interest Ownership Act; making miscellaneous changes to alter real property provisions; amending Minnesota Statutes 1998, sections 40A.10, subdivisions 1 and 3; 40A.11, subdivision 4; 47.20, subdivision 2; 51A.02, subdivision 29; 60C.09, subdivision 1; 83.20, subdivisions 11 and 14; 83.26, subdivision 2; 103F.612, subdivisions 2 and 4; 103F.613, subdivision 3; 103I.235, subdivision 1; 238.22, subdivision 3; 273.124, subdivision 2; 297H.01, subdivision 8; 327C.095, subdivision 5; 357.18, subdivision 1; 359.02; 389.09; 428A.11, subdivisions 4 and 6; 462C.02, subdivisions 4 and 5; 462C.05, subdivision 1; 473H.02, subdivision 6; 473H.05, subdivision 1; 473H.06, subdivisions 1 and 2; 473H.08, subdivision 4; 500.20, subdivision 2a; 505.08, subdivision 3; 507.421; 508.14; 508.24, subdivision 2; 508.25; 508.35; 508.36; 508.38; 508.40; 508.421, subdivision 2; 508.47, subdivision 4; 508.49; 508.51, subdivision 1; 508.52; 508.55; 508.56; 508.57; 508.58; 508.59; 508.61, subdivisions 2 and 3; 508.67; 508.68; 508.71, subdivisions 2, 4, 5, 6, and by adding a subdivision; 508.76; 508.82, subdivision 1; 508A.10; 508A.11, subdivision 3; 508A.22, subdivisions 2 and 3; 508A.25; 508A.35; 508A.38; 508A.40; 508A.421, subdivision 2; 508A.47, subdivision 4; 508A.49; 508A.51, subdivision 1; 508A.52; 508A.55; 508A.56; 508A.57; 508A.58; 508A.59; 508A.61, subdivisions 2 and 3; 508A.71, subdivisions 2, 3, 5, 6, and by adding a subdivision; 508A.72; 508A.76; 508A.82, subdivision 1; 508A.85, subdivisions 3 and 4; 515B.1-102; 515B.1-103; 515B.1-116; 515B.2-101; 515B.2-104; 515B.2-105; 515B.2-108; 515B.2-109; 515B.2-110; 515B.2-118; 515B.2-119; 515B.2-121; 515B.2-122; 515B.3-103; 515B.3-105; 515B.3-106; 515B.3-110; 515B.3-113; 515B.3-115; 515B.3-116; 515B.3-121; 515B.4-101; 515B.4-102; 515B.4-106; 515B.4-107; 515B.4-108; 515B.4-111; 515B.4-115; 524.2-201; 559.21, subdivision 2a; and 582.32, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 386; and 515B; repealing Minnesota Statutes 1998, sections 473H.02, subdivision 11; 473H.05, subdivision 3; 508.405; 508.421, subdivision 1; 508.44; 508.45; 508.51, subdivision 2; 508.835; 508A.421, subdivision 1; 508A.44; 508A.45; 508A.51, subdivision 2; and 508A.835.

The bill was read for the first time and referred to the Committee on Civil Law.

Goodno; Greenfield; Boudreau; Seifert, J.; Mulder and Seifert, M., introduced:

H. F. No. 383, A bill for an act relating to human services; providing compensation enhancement to nursing facilities; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Anderson, B.; Hackbarth; Schumacher; Olson and Harder introduced:

H. F. No. 384, A bill for an act relating to agriculture; changing food handlers license provisions for food processors or manufacturers operating only at the state fair or a county fair; amending Minnesota Statutes 1998, sections 28A.04, subdivision 1; and 28A.08, subdivision 3.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Holsten, Solberg, Ozment, Osthoff and Bishop introduced:

H. F. No. 385, A bill for an act relating to appropriations; appropriating money for environmental and natural resources purposes from the Minnesota future resources fund, the environment and natural resources trust fund, and the Great Lakes protection account; amending Minnesota Statutes 1998, section 85.019, subdivision 2, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

FISCAL CALENDAR

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 209.

H. F. No. 209 was reported to the House.

Bishop moved to amend H. F. No. 209, the second engrossment, as follows:

Page 6, line 21, delete the fourth comma, and insert a period

Page 6, delete line 22

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

On the motion of Pawlenty and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Bakk	Bradley	Carruthers	Clark, K.	Dehler
Abrams	Biernat	Broecker	Cassell	Daggett	Dempsey
Anderson, B.	Bishop	Buesgens	Chaudhary	Dauids	Dorman
Anderson, I.	Boudreau	Carlson	Clark, J.	Dawkins	Dorn

Entenza	Hilty	Larson, D.	Murphy	Rostberg	Tunheim
Erhardt	Holberg	Leighton	Ness	Rukavina	Van Dellen
Erickson	Holsten	Lenczewski	Nornes	Schumacher	Vandever
Finseth	Howes	Leppik	Olson	Seagren	Wagenius
Folliard	Huntley	Lieder	Opatz	Seifert, J.	Wejcman
Fuller	Jaros	Lindner	Osskopp	Seifert, M.	Wenzel
Gerlach	Jennings	Luther	Osthoff	Skoe	Westerberg
Gleason	Johnson	Mahoney	Otremba	Skoglund	Westfall
Goodno	Juhnke	Mares	Ozment	Smith	Westrom
Gray	Kahn	Mariani	Paulsen	Solberg	Wilkin
Greenfield	Kalis	Marko	Pawlenty	Stanek	Winter
Greiling	Kelliher	McCollum	Paymar	Stang	Wolf
Gunther	Kielkucki	McElroy	Pelowski	Storm	Workman
Haake	Knoblach	McGuire	Peterson	Swenson	Spk. Sviggum
Haas	Koskinen	Milbert	Pugh	Sykora	
Hackbarth	Krinkie	Molnau	Rest	Tingelstad	
Harder	Kubly	Mulder	Reuter	Tomassoni	
Hasskamp	Kuisle	Mullery	Rhodes	Trimble	
Hausman	Larsen, P.	Munger	Rifenberg	Tuma	

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Milbert was excused for the remainder of today's session.

Rest offered an amendment to H. F. No. 209, the second engrossment, as amended.

POINT OF ORDER

Abrams raised a point of order pursuant to rule 3.21 that the Rest amendment was not in order. The Speaker ruled the point of order well taken and the Rest amendment out of order.

Rest appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion did not prevail.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 72 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Bradley	Cassell	Davids	Dorman
Abrams	Bishop	Broecker	Clark, J.	Dehler	Erhardt
Anderson, B.	Boudreau	Buesgens	Daggett	Dempsey	Erickson

Finseth	Holberg	Lindner	Ozment	Seifert, M.	Van Dellen
Fuller	Holsten	Mares	Paulsen	Smith	Vandever
Gerlach	Howes	McElroy	Pawlenty	Stanek	Westerberg
Goodno	Kielkucki	Molnau	Reuter	Stang	Westfall
Gunther	Knoblach	Mulder	Rhodes	Storm	Westrom
Haake	Krinkie	Ness	Rifenberg	Swenson	Wilkin
Haas	Kuisle	Nornes	Rostberg	Sykora	Wolf
Hackbarth	Larsen, P.	Olson	Seagren	Tingelstad	Workman
Harder	Leppik	Osskopp	Seifert, J.	Tuma	Spk. Sviggum

Those who voted in the negative were:

Bakk	Gleason	Johnson	Lieder	Orfield	Skoe
Biernat	Gray	Juhnke	Luther	Osthoff	Tomberg
Carlson	Greenfield	Kahn	Mahoney	Otremba	Tomassoni
Carruthers	Greiling	Kalis	Mariani	Paymar	Trimble
Chaudhary	Hasskamp	Kelliher	Marko	Pelowski	Tunheim
Clark, K.	Hausman	Koskinen	McCollum	Peterson	Wagenius
Dawkins	Hilty	Kubly	McGuire	Pugh	Wejeman
Dorn	Huntley	Larson, D.	Mullery	Rest	Wenzel
Entenza	Jaros	Leighton	Murphy	Rukavina	Winter
Folliard	Jennings	Lenczewski	Opatz	Schumacher	

So it was the judgment of the House that the decision of the Speaker should stand.

H. F. No. 209, A bill for an act relating to public administration; converting capital project financing from general fund cash to general obligation bonding; authorizing spending for public purposes; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonds; canceling certain money to the general fund; appropriating money; amending Laws 1998, chapter 404, section 27, subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 66 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Hackbarth	Mares	Rhodes	Sykora
Anderson, B.	Dorman	Harder	McElroy	Rifenberg	Tingelstad
Boudreau	Erhardt	Holberg	Molnau	Rostberg	Tuma
Bradley	Erickson	Holsten	Mulder	Seagren	Van Dellen
Broecker	Finseth	Howes	Ness	Seifert, J.	Westerberg
Buesgens	Fuller	Kielkucki	Nornes	Seifert, M.	Westfall
Cassell	Gerlach	Knoblach	Olson	Smith	Westrom
Clark, J.	Goodno	Kuisle	Osskopp	Stanek	Wilkin
Daggett	Gunther	Larsen, P.	Ozment	Stang	Wolf
Davids	Haake	Leppik	Paulsen	Storm	Workman
Dehler	Haas	Lindner	Pawlenty	Swenson	Spk. Sviggum

Those who voted in the negative were:

Abeler	Folliard	Juhnke	Mahoney	Paymar	Trimble
Anderson, I.	Gleason	Kahn	Mariani	Pelowski	Tunheim
Bakk	Gray	Kalis	Marko	Peterson	Vandever
Biernat	Greenfield	Kelliher	McCollum	Pugh	Wagenius
Bishop	Greiling	Koskinen	McGuire	Rest	Wejcman
Carlson	Hasskamp	Krinkie	Mullery	Reuter	Wenzel
Carruthers	Hausman	Kubly	Munger	Rukavina	Winter
Chaudhary	Hilty	Larson, D.	Murphy	Schumacher	
Clark, K.	Huntley	Leighton	Opatz	Skoe	
Dawkins	Jaros	Lenczewski	Orfield	Skoglund	
Dorn	Jennings	Lieder	Osthoff	Solberg	
Entenza	Johnson	Luther	Otremba	Tomassoni	

The bill was not passed, as amended.

NOTICE OF INTENTION TO MOVE RECONSIDERATION

Anderson, I., gave notice of his intention to move reconsideration on H. F. No. 209, as amended.

MOTIONS AND RESOLUTIONS

Entenza moved that the name of Mahoney be added as an author on H. F. No. 206. The motion prevailed.

Abrams moved that the name of Paulsen be added as an author on H. F. No. 250. The motion prevailed.

Greiling moved that the name of Kelliher be added as an author on H. F. No. 282. The motion prevailed.

Rest moved that the names of Carruthers, Leighton, Johnson, Hasskamp and Jennings be added as authors on H. F. No. 289. The motion prevailed.

Daggett moved that the name of Tingelstad be added as an author on H. F. No. 293. The motion prevailed.

Opatz moved that the name of Kelliher be added as an author on H. F. No. 296. The motion prevailed.

Knoblach moved that the names of Westerberg and Bradley be added as authors on H. F. No. 301. The motion prevailed.

Opatz moved that the name of Rest be added as an author on H. F. No. 320. The motion prevailed.

Greiling moved that the name of Kelliher be added as an author on H. F. No. 331. The motion prevailed.

Rhodes moved that the name of Luther be added as an author on H. F. No. 344. The motion prevailed.

Haas moved that H. F. No. 35 be recalled from the Committee on Health and Human Services Policy and be referred to the Committee on Health and Human Services Finance. The motion prevailed.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 1, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 1, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

